



1743
in

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313 on the date shown below:

July 26, 2005

David Saliwanchik

David R. Saliwanchik, Patent Attorney

INFORMATION DISCLOSURE
STATEMENT
Patent Application
Docket No. BB-146
Serial No. 10/534,150

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 1743
Applicants : Andreas M. Zeiher, Stefanie Dimmeler, Lothar Rössig
Serial No. : 10/534,150
Filed : May 9, 2005
Conf. No. : 4820
For : Endothelial Cells as Diagnostic Instrument in Cardiovascular Diseases

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §§1.56, 1.97, AND 1.98

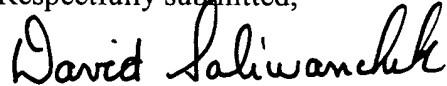
Sir:

The above-identified patent application was filed in the U.S. Patent Office as a national application under 35 USC §371. Applicants have been notified that a copy of the International Search Report and copies of the references cited therein have been made available in the national stage file as indicated on the Notice of Acceptance of the Application Under 35 USC 371 (Form PCT/DO/EO/903). Therefore, copies of the references cited in the International Search Report are not enclosed as these references are already available in the national stage file. However, a form PTO/SB/08 listing the references is attached. In accordance with 37 CFR §1.56, 1.97 and 1.98 the applicants hereby request that the references cited in the International Search Report and listed on the attached form PTO/SB/08 be made of record and considered in the examination of the subject application.

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO/SB/08 with initials or other appropriate marks. If any additional fee is required, or to credit any overpayment, please use Deposit Account No. 19-0065.

Applicants respectfully assert that the substantive provisions of 37 CFR §§1.56, 1.97 and 1.98 are met by the foregoing statements.

Respectfully submitted,



David R. Saliwanchik

Patent Attorney

Registration No. 31,794

Phone No.: 352-375-8100

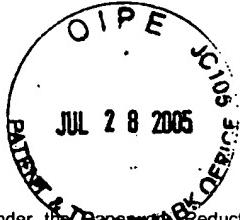
Fax No.: 352-372-5800

Address: P.O. Box 142950

Gainesville, FL 32614-2950

DRS/gyl

Attachment: Form PTO/SB/08
Copy of International Search Report



PTO/SB/08B (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Trade Secret Protection Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO
**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

1

of

1

Complete if Known

Application Number	10/534,150
Filing Date	May 9, 2005
First Named Inventor	Andreas M. Zeiher
Group Art Unit	1743
Examiner Name	

Attorney Docket Number BB-146

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article, (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	R1	DIGNAT-GEORGE, F. et al. "Circulating Endothelial Cells in Acute Coronary Syndromes" <i>Blood</i> , January 15, 2000, pg. 728, Vol. 95, No. 2.	
	R2	GEORGE, F. et al. "Cytofluorometric Detection of Human Endothelial Cells in Whole Blood Using S-Endo 1 Monoclonal Antibody" <i>Journal of Immunological Methods</i> , 1991, pp. 65-75, Vol. 139, No. 1.	
	R3	MANCUSO, P. et al. "Resting and Activated Endothelial Cells are Increased in the Peripheral Blood of Cancer Patients" <i>Blood</i> , June 1, 2001, pp. 3658-3661, Vol. 97, No. 11.	
	R4	MONESTIROLI, S. et al. "Kinetics and Viability of Circulating Endothelial Cells as Surrogate Angiogenesis Marker in an Animal Model of Human Lymphoma" <i>Cancer Research</i> , June 1, 2001, pp. 4341-4344, Vol. 61, No. 11.	
	R5	MUTIN, M. et al. "Direct Evidence of Endothelial Injury in Acute Myocardial Infarction and Unstable Angina by Demonstration of Circulating Endothelial Cells" <i>Blood</i> , May 1, 1999, pp. 2951-2958, Vol. 93, No. 9.	
	R6	ROESSIG, L. et al. "Evidence for Increased Circulating Apoptotic Endothelial Cells in Patients with Coronary Artery Disease" <i>European Heart Journal</i> , 2002, pg. 656, Vol. 23, No. Abstract Supplement.	
	R7	RÖSSIG, L. et al. "Levels of Circulating Apoptotic Endothelial Cells Reflect Disease Activity in Patients with Coronary Artery Disease" <i>Circulation</i> , November 5, 2002, pp. II-U, Vol. 106, No. 19.	
	R8	VASA, M. et al. "Statins Therapy Increases the Number and Stimulates Migration of Endothelial Progenitor Cells in Patients with Stable Coronary Artery Disease and Acute Myocardial Infarction" <i>Circulation</i> , October 23, 2001, pp. II-725, Vol. 104, No. 17.	
	R9		
	R10		
	R11		
	R12		
	R13		

Examiner Signature	Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.